

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

DEMARLAND DEAN, KIMBERLY VAN  
DECREEK, BRADLEY KIRK, REYNOLD  
LEUTZ, TONDARIUS ROTHCHILD,  
JASON JONES and JOHN W. BOWER,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

CUMULUS MEDIA, INC., and JOHN DOES  
1-10.,

Defendants.

CIVIL ACTION FILE

Case No.: 1:22-cv-04956-TWT

**PLAINTIFFS' MOTION FOR  
FINAL APPROVAL OF CLASS ACTION SETTLEMENT, CERTIFICATION OF  
SETTLEMENT CLASS, AND APPROVAL OF PLAN OF ALLOCATION**

Named Plaintiffs Demarland Dean, Kimberly Van DeCreek, Bradley Kirk, Reynolds Leutz, Tondarious Rothchild, Jason Jones and John W. Bower ("Plaintiffs"), participants in the Cumulus Media 401(k) Plan (the "Plan"), hereby respectfully move this Court, pursuant to FED. R. CIV. P. 23, for an Order:

1. Granting final approval to the class action settlement in this action on the terms of the Class Action Settlement Agreement ("Settlement Agreement"), fully executed on February 14, 2023, and previously filed with the Court on February 14, 2023 (ECF No. 15-1);
2. Certifying the Class as defined in the February 16, 2023, Preliminary

Approval Order (ECF No. 16);

3. Appointing Named Plaintiffs as Class Representatives and Plaintiffs' Counsel as Class Counsel under FED. R. CIV. 23(g);

4. Finding that the manner in which the Settlement Class was notified of the Settlement was the best practicable under the circumstances and adequately informed the Settlement Class members of the terms of the Settlement, how to lodge an objection and obtain additional information; and

5. For such other and further relief as the Court may deem just and proper.

The grounds for this Motion are set forth in the following papers filed contemporaneously herewith:

- A. Memorandum of Law in support of Plaintiffs' Motion for Final Approval of Class Action Settlement, Certification of Settlement Class, and Approval of Plan of Allocation; and
- B. Declarations of Plaintiffs' Counsel, the Named Plaintiffs, Former Named Plaintiffs, and Settlement/Notice Administrator.

Attached hereto is the proposed Final Approval Order and Judgment in the form agreed to by the Parties.

Dated: May 26, 2023

Respectfully submitted,

**CAPOZZI ADLER, P.C.**

/s/ Mark K. Gyandoh

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*Counsel for Plaintiffs  
and the Putative Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 26, 2023, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

By: /s/ Mark K. Gyandoh  
Mark K. Gyandoh, Esq.